

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
PEACHES JUANITA ESPINOSA,
Defendant.

CR-15-123-BLG-SPW-CSO-01

**FINDINGS AND
RECOMMENDATION OF
U.S. MAGISTRATE JUDGE**

The Defendant, by consent, appeared before me under Fed. R. Crim. P. 11 and entered a plea of guilty to a Superseding Information, which charges the crime of conspiracy to possess methamphetamine with intent to distribute, in violation of 21 U.S.C. Section 846. Defendant also admits to the forfeiture of \$23,774.00 in U.S. currency pursuant to 21 U.S.C. Section 853.

After examining the Defendant under oath, the Court determined:

1. That the Defendant is fully competent and capable of entering an informed and voluntary plea to the criminal offense charged against her;
2. That the Defendant is aware of the nature of the charge against her and the consequences of pleading guilty to the charge;

3. That the Defendant fully understands her pertinent constitutional rights and the extent to which she is waiving those rights by pleading guilty to the criminal offense charged against her; and

4. That his plea of guilty to the criminal offense charged against her is knowingly and voluntarily entered, and is supported by independent factual grounds sufficient to prove each of the essential elements of the offense charged.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that Defendant fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true.

Therefore, I recommend that the Defendant be adjudged guilty of the charges in the Superseding Information and that sentence be imposed.

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days after the filing of the Findings and Recommendation. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 13th Day of September, 2016.

/s/ Carolyn S. Ostby
United States Magistrate Judge